REMARKS

In the above-mentioned Office Action, all of the pending claims, claims 1-3 and 7-10, were rejected. Claims 1-3 and 7 were rejected under Section 103(a) over the combination of 3GPP Document TS 25.331 v3.16.0 (2003-9) and Tohono. And, claim 8-10 were rejected under Section 103(a) over the combination of the 3GPP Document, Tohono, and Laitinen.

The Applicants respectfully traverse the rejections of the claims, for reasons which follow.

With respect to independent claims 1 and 7, the Examiner relied primarily upon the 3GPP document but acknowledged that the 3GPP document fails to teach the arranging of a user equipment device to apply certain received information elements in a defined order and, if the same information elements are related to at least one cell information list, then reading and acting upon the system information associated with the identified, same information elements according to the defined order. And, the Examiner acknowledged that the 3GPP document also fails to disclose that the applied defined order in the user equipment device specifies reading and acting upon that system information associated with the information element from SIB 11 and the reading and acting upon the system information associated with the information element from SIB 11 and the reading and acting upon the system information associated with the information element from the SIB 12.

The Examiner, however, relied upon Tohono for showing the features acknowledged not to be disclosed in the 3GPP document. Specifically, the Examiner relied upon Tohono for showing: 1.) arranging of the UE device to apply certain received information elements in a defined order, 2.) if the same information elements are related to the at least one cell information list, then 3.) reading and acting upon the system information associated with the identified same information elements according to the defined order, 4.) wherein the applied defined order in the user equipment specifies the system information associated with the information element is associated with the information element from the active set, and 5.) reading and acting upon the

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system information associated with the information element from SIB 11 and then reading and acting upon system information associated with the information element from SIB 12.

The Applicants traverse this assertion.

Even assuming, as asserted by the Examiner, that the SIB 11 is equivalent to an 'active-cell, cell information list' and that the SIB 12 is equivalent to a 'hand-over candidate cell', there still is no disclosure in Tohono of, with respect to claim 1, identifying if a same information element from each of the SIB 11 and SIB 12 are each related to at least one cell information list, nor of, if the same information elements are related to the at least on cell information list, then reading and acting upon the system information associated with the identified same information elements according to the defined order. In claims 7 and 8, the 'determining' and 'determine' are analogously not disclosed in Tohono.

And, for the reason that Tohono does not disclose the identifying, Tohono also can not disclose reading and acting upon the system information if the same information elements are related.

The Examiner asserted that the condition, i.e., the 'if' clause, is ineffective, for the reason that Tohono applies system information associated with the active cell before applying system information associated with the handover candidate cell.

The assertion is also traversed. The if-clause recitation requires the prior, recited identification (or determination) to have been performed. For the 'if' clause to be ineffective, the identification must also have been ineffective. But, as the Examiner states that Tohono applies the system information associated with the active cell before applying system information associated with the handover candidate cell, no identification would be performed in Tohono.

The Applicants believe that the identification recited in claim 1 is neither ineffective nor optional and that Tohono cannot be relied upon for showing either identifying nor reading and acting if the if-clause is satisfied.

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Reference is further made to paragraphs [0002], [0008], [0012], [0013], and [0017] of Tohono. Paragraph [0002] indicates that Tohono is directed towards a cell search method for a cellular telephone equipment. And, paragraph [0008] indicates that, in prior CDMA cellular telephone equipment, when the cellular telephone equipment is a standby state, cells are classified into two types, 'cells detected in a previous cell search' and 'peripheral candidate cells'.

Paragraph [0012] of Tohono states that its object is to provide a cellular telephone equipment capable of easily adjusting to cell search ability and search time. Paragraph [0013] that this object is achieved by providing a cellular telephone equipment that performs a cell search wherein the plurality of cells to be searched are classified into three types, a first cell that is receiving the paging channel, a second cell as a hand-over destination candidate, and a third cell that is in a nearby area but is not detected. And, paragraph [0017] of Tohono indicates that it is the cellular telephone equipment that classifies cells into the three types.

The Applicants specifically note that claims 1 and 7 state that the user equipment devices reads and acts upon system information associated with the information element from SIB 11 before reading and acting upon the system information associate with an information element from SIB 12.

Tohono does not disclose a user equipment device that receives any elements let alone the SIBs that are recited. In short, neither the 3GPP document nor Tohono discloses a user equipment device that receives, reads, and acts upon system information associated with the identified same information elements according to the defined order. Therefore, no combination of the 3GPP document and Tohono can be formed to create the invention recited in claims 1 and 7.

The Applicants further note that the 3GPP TS 25.331 specification is part of the UMTS standard. And, the Applicants also assert that one skilled in the art would not have motivation to refer to Tohono when seeking to provide an improved user equipment device.

Independent claim 8 is believed to be distinguishable over the cited combination of references used there against for the same reasons as those just-given. That is to say, neither the 3GPP document nor Tohono discloses the receiving of SIBs in which each SIB comprises at least one information element related to a cell information list and where each SIB is a different type of SIB as recited in claim 8. That is to say, as Tohono does not disclose a user equipment device that receives any information elements, let alone the recited SIBs, no combination of Tohono and the 3GPP document can be formed to create the invention recited in claim 8. While Laitanen was further cited in the rejection of claim 8, Laitanen was cited merely for showing a microprocessor and not the receiving of the system information blocks

As the remaining dependent claims include all of the limitations of their respective parent claims, the dependent claims are believed to be patentably distinguishable over the cited combinations for the same reasons as those given with respect to their respective parent claims.

In light of the foregoing, therefore, reexamination and reconsideration for allowance of the claims is respectfully requested. Such early action is earnestly solicited.

Respectfully submitted,

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